

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

DAVID MIDDENDORF and  
JEFFREY WADA,  
Defendants.

Court  
exhibit 5  
3:46

18 Cr. 36 (JPO)

**VERDICT FORM**

PLEASE CHECK YOUR ANSWER AS TO EACH

The Jury's verdict must be unanimous on each count.

**COUNT ONE:**

**(Conspiracy to Defraud the Securities and Exchange Commission)**

David Middendorf: Not Guilty ☒ Guilty ☐

Jeffrey Wada: Not Guilty ☒ Guilty ☐

**COUNT TWO:**

**(Conspiracy to Commit Wire Fraud)**

David Middendorf: Not Guilty ☐ Guilty ☒

Jeffrey Wada: Not Guilty ☐ Guilty ☒

**COUNT THREE:**  
**(Wire Fraud - 2015)**

David Middendorf:

Not Guilty \_\_\_\_\_

Guilty ✓

**COUNT FOUR:**  
**(Wire Fraud - 2016)**

David Middendorf:

Not Guilty \_\_\_\_\_

Guilty ✓

Jeffrey Wada:

Not Guilty \_\_\_\_\_

Guilty ✓

**COUNT FIVE:**  
**(Wire Fraud - 2017)**

David Middendorf:

Not Guilty \_\_\_\_\_

Guilty ✓

Jeffrey Wada:

Not Guilty \_\_\_\_\_

Guilty ✓

**The foreperson should sign the form and notify the Marshal that you have a verdict.**

  
FOREPERSON

Date: 3-11-19